

Rec'd 767

DECLARATORY RESOLUTION 767 - 1946

For the condemnation of a right of way for sewer, conduit, and pole line purposes, across, through, and under portions of Lot Number one (1) Trimples Out Lots, said easement shall be twelve (12) feet in width.

Resolved by the Board of Public Works of the City of Fort Wayne Indiana, that it is deemed necessary to condemn a right of way for sewer, conduit, and pole line purposes, across through, and under portions of Lot Number one (1) Trimples Out Lots, said easement shall be twelve (12) feet in width.

The condemnation of the right of way to be made by condemning and appropriating for sewer, conduit, and pole line purposes the following described property for easement purposes, whose center line is described as follows:

beginning on the east line of Winter Street one hundred forty two (142) feet south of the south property line of Mc Kinnie Avenue; thence east and parallell to Mc Kinnie Avenue, a distance of one hundred fifty-six (156) feet; thence north and parallell to Winter Street a distance of one hundred forty two (142) feet to the south property line of Mc Kinnie Avenue, twelve (12) feet in width.

All as shown by a plan of such proposed condemnation of said right of way now on file in the Office of the Department of Public Works of said City.

The property which may be injuriously or beneficially affected by the proposed condemnation of said right of way as above described, is described as Lots Number eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15), and seventy-four (74), all being in Kenwood Park Addition; also the west thirty-nine (39) feet of the north one hundred thirty-six (136) feet of Lot Number one (1) Trimples Out Lots, the east thirty nine (39) feet of the west seventy-eight (78) feet of the north one hundred thirty-six (136) feet of Lot Number one (1) Trimples Out Lot, the east thirty five (35) feet of the west one hundred seventeen (117) feet of the north one hundred thirty-six (136) feet of Lot Number one (1) Trimples Out Lots, the east thirty seven (37) feet of the west one hundred fifty (150) feet of the north one hundred thirty-six (136) of Lot Number one (1) Trimples Out Lots, and Lot Number one (1) Trimples Out Lots except the west one hundred fifty (150) feet of the north one hundred thirty-six (136) feet.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", approved March 6, 1905, and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal annual installments with interest at the rate of five (5%) per cent per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from said property owner or owners for said condemnation of property or for the payment of any bond or bonds, certificate or certificates issued in payment for such property damage except for such moneys as shall have been actually received by the City from the assessments for such property damages or such moneys as said City is by above entitled act, required to pay. All proceedings had in making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor shall be provided for in said above entitled act and all ammendments thereto and supplemental thereof.

All of said streets and alleys and lots and lands affected by the above descibed right of way condemnation being situated in the Northeast Quarter (NE $\frac{1}{4}$ ) of Section twenty-four (24), Township thirty (30) North, Range twelve (12) East, and within the corporate limits of the City of Fort Wayne, Allen County, Indiana.

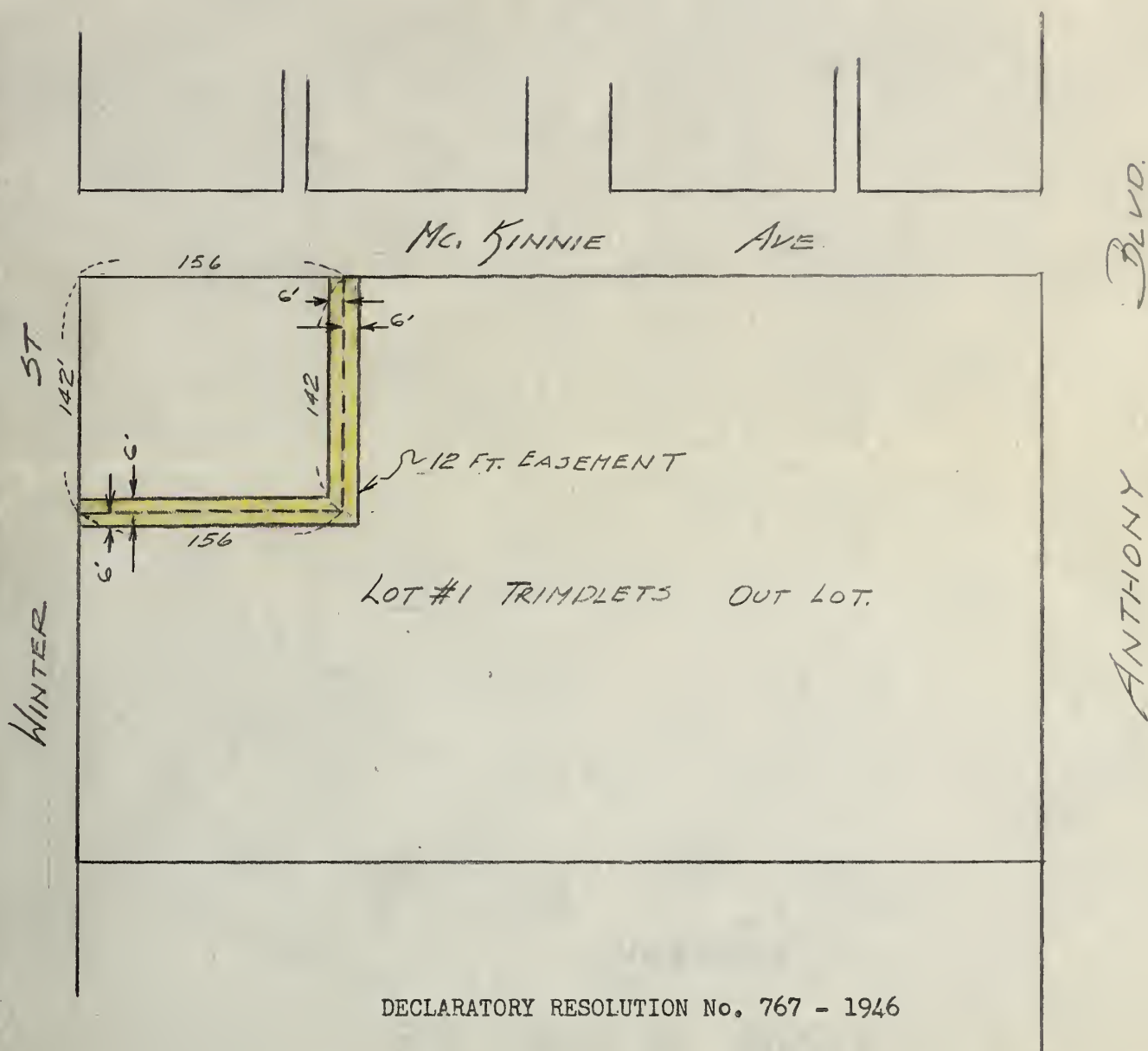
ADOPTED THIS 24th DAY OF OCTOBER, 1946

BOARD OF PUBLIC WORKS

Attest: Allen W. Sweet Secretary

Fred W. Menze  
John H. Johnson





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assessment Roll confirmed 4-19-1947